

AUSTIN, November 30, 1850.

House met pursuant to adjournment—roll called—quorum present.

Absentees—Messrs. Bee, Fields, Franklin, Gillet, Jowers, Wigfall and Winfield.

Journal of yesterday read and adopted.

Mr. Franklin, chairman of the committee on Finance, to whom was referred the petition of the heirs of J. F. Ailes, returned the same back to the House without any recommendation in relation to the same, and begged to be discharged from its further consideration.

Report laid on the table to come up among the orders of the day.

Mr. Smith of S., chairman of the committee on Military Affairs, to whom was referred the bill to be entitled an act to authorize the Governor to call out volunteers for frontier defence, reported a substitute for the same and recommended its passage.

Report, bill and substitute laid on the table to come up among the orders of the day.

Mr. Burney, chairman of the committee on Private Land Claims, to whom was referred the petitions of Eli M. Thomason and William S. Musick, reported a bill for their relief and recommended its passage.

Report and bill laid on the table to come up among the orders of the day.

Mr. Burney, chairman of the committee on Private Land Claims, to whom was referred a bill to be entitled an act for the relief of William P. Wyche and the legal representatives of Peter A. Duell, reported the bill back to the House with an amendment, and recommended its passage.

Report and bill laid on the table to come up among the orders of the day.

A message was received from the Senate, through their Secretary, Mr. Raymond, informing the House that the Senate had passed a bill to be entitled an act to require the Commissioner of the General Land Office to issue patents for lands therein named; also, a bill to be entitled an act for the relief of James Chesher, Senr.; a bill to be entitled an act to incorporate the Brazos and Bernard Railway and Plank Road Company; a bill for the relief of Peter Lopez and Henry Tierwester; a bill to be entitled an act to authorize the Board of Managers of the Masonic Female Institute at Marshall, Harrison county, to confer degrees, etc.; a bill to be entitled an act to amend an act entitled an act to incor-



porate the city of New Braunfels; a bill to be entitled an act for the relief of Berry Merchant; an act to authorize the Clerk of the County Courts of Navarro and Tyler Counties to transcribe into a bound book, severally to be procured by them for that purpose, all the records and title papers therein mentioned, and an act to incorporate the Shelby University, originating in the House of Representatives; and also, that they had passed the following bills, originating in the Senate: an act for the relief of Martha McMillan; a bill for the relief of William Cummins; a bill for the relief of John Bethea; a bill to prevent the sale of spirituous or vinous liquors to Indians within the State of Texas; a bill for the relief of David Andrews; a joint resolution for the relief of James Pratt Plummer; a bill for the relief of James J. Eldridge; a joint resolution for the relief of John Green, Jr., and a bill for the relief of Alanson Ferguson.

Mr. Dickson moved to take from the table the Senate's resolution to adjourn *sine die* on Monday the 2d Dec. next, in order that the same be placed among the orders of the day, upon which the yeas and nays were called, and stood as follows:

Yeas: Messrs. Speaker, Bogart, Burney, Charlton, Cochran, Crump, Dickson, Franklin, Gillet, Hardeman of Nacogdoches, Hendricks, Holland, Hunt, Johnson, Jowers, Lloyd, Lott, Owen, Patrick, Polk, Runnels, Russell, Scott, Selman, Shaw, Smith of Shelby, Speights, Stapp, Sterne, Stewart, Taylor of Cass, Taylor of Harrison and Williams—33.

Nays: Messrs. Bryan, Clements, McKinney, Reynolds, Shea and Tarrant—6.

So the resolution was taken up and placed among the orders of the day.

Mr. Franklin asked leave to introduce a bill; it being out of order, leave was refused.

Mr. Taylor of Cass moved a reconsideration of the vote taking up the resolution to adjourn *sine die* on Monday the second of December ensuing, and placing the same among the orders of the day.

The Speaker decided the motion out of order during the pendency of another question.

A bill to be entitled an act to provide for the final adjustment of the Public Debt of the late Republic of Texas, under consideration when the House adjourned.

Mr. Dickson's motion to postpone the consideration of the bill until the first of March next, being first in order, the yeas and nays were called, and stood as follows:

Yeas: Messrs. Speaker, Bogart, Charlton, Cochran, Dickson,



Holland, Jowers, Lloyd, Reynolds, Selman, Shaw, Speights and Taylor of Cass—13.

Nays: Messrs. Bryan, Clements, Fields, Franklin, Gillet, Hardeman of Nacogdoches, Hendricks, Hunt, Johnson, Lott, McKinney, Owen, Patrick, Polk, Russell, Scott, Shea, Smith of Shelby, Stapp, Sterne, Stewart, Tarrant, Taylor of Harrison, Wigfall, Williams and Wren—26.

So the motion was lost.

The question being next upon the amendment proposed by Mr. Stapp, to strike out in first section, fourth line, after the word "published," all to the word "to," in sixth line, was put and lost.

Mr. Fields proposed the following amendment, which was adopted:

Strike out in fourth and fifth lines, first section, the words, "in each of the cities of New Orleans, Louisville, New York, Philadelphia, Baltimore and Washington," and insert, "in each of the papers printed in the city of Austin, and one in the city of Washington."

Mr. Stapp proposed the following amendment to the second section:

In first line, after the word "indebtedness," insert, "of the first and second classes."

In second and third lines, strike out the words, "as well as those which may hereafter be issued by them;" and insert in the blank in third line, the word "five."

Add after the word "the," at the end of third line, same section, the words, "date from which interest may be payable to the State of Texas on the United States five per cent. stock fund;" rejected.

Mr. Dickson moved to strike out the second section; upon which the yeas and nays were called, and stood as follows:

Yeas: Messrs. Speaker, Bogart, Burney, Charlton, Cochran, Dickson, Franklin, Gillet, Hardeman of Nacogdoches, Hendricks, Holland, Johnson, Jowers, Lloyd, Patrick, Polk, Reynolds, Runnels, Scott, Selman, Shaw, Smith of Shelby, Speights, Sterne, Tarrant, Taylor of Cass, Williams and Wren—28.

Nays: Messrs. Burney, Clements, Fields, Hunt, Lott, McKinney, Owen, Russell, Shea, Stapp, Tarrant, Taylor of Harrison and Wigfall—13.

So the motion carried, and the section stricken out.

Mr. Franklin proposed a substitute, in part, for the bill, and moved the reference of the same, together with the amendments, to a select committee; upon which the yeas and nays were called, and stood as follows:



Yeas: Messrs. Speaker, Bogart, Burney, Charlton, Cochran, Crump, Dickson, Fields, Franklin, Gillet, Hardeman of Nacogdoches, Hendricks, Holland, Jowers, Lloyd, Lott, McKinney, Polk, Reynolds, Runnels, Scott, Selman, Shaw, Smith of Shelby, Speights, Sterne, Tarrant, Taylor of Cass, Taylor of Harrison and Williams—30.

Nays: Messrs. Bryan, Clements, Hunt, Johnson, Owen, Patrick, Russell, Stapp, Stewart and Wren—10.

So the motion prevailed.

The Speaker appointed Messrs. Franklin, Stapp, Stewart, Williams and Sterne to compose said committee.

Mr. Bogart introduced the following resolution:

*Resolved*, That bills on their third reading in the House, and bills from the Senate on their third and final reading, shall be first in order.

Laid on the table one day for consideration.

On motion of Mr. Hendricks, the rule was suspended, and a bill to be entitled an act to regulate the election of Judges of the Supreme Court was taken up, read a third time and passed.

Mr. Burney, chairman of the joint committee on Enrolled Bills, made the following report, which was accepted:

COMMITTEE ROOM, November 30, 1850.

Hon. C. G. KEENAN,

*Speaker of the House of Representatives:*

The joint committee on Enrolled Bills have examined an act concerning the book or register of Land Certificates issued by the Board of Land Commissioners for the county of Harris; also an act to authorize settlers in Peter's Colony to intervene in suit or suits in reference to any matter connected with said Colony contracts where they have an interest; also, an act to amend an act, entitled an act to incorporate the Galveston Ferry, Freight and Tow Boat Company; also an act to amend the second section of an act entitled an act to organize the Supreme Court of the State of Texas, approved the 12th of May, 1846; also an act to amend the first section of an act entitled an act to incorporate the Galveston and Brazos Navigation Company, and find the same correctly Enrolled, and having been signed by the Speaker of the House of Representatives and President of the Senate, were this day transmitted to His Excellency the Governor of the State for his approval.

A message was received from the Senate, informing the House, that the Senate had passed a bill for the relief of Samuel J. Sparks.



The Senate's resolution to adjourn *sine die* on Monday the second December next, was taken up and read.

Mr. Tarrant moved to strike out "Monday the second," and insert "Wednesday the fourth;" upon which the yeas and nays were called, and stood as follows:

Yeas: Messrs. Bogart, Bryan, Charlton, Clements, Cochran, Crump, Gillet, Hendricks, Hunt, Lott, McKinney, Owen, Patrick, Reynolds, Russell, Shea, Smith of Shelby, Stapp, Sterne, Stewart, Tarrant, Taylor of Harrison, Wigfall and Williams—24.

Nays: Messrs. Speaker, Burney, Dickson, Fields, Hardeman of Nacogdoches, Holland, Johnson, Jowers, Lloyd, Polk, Runnels, Scott, Selman, Shaw, Speights, Taylor of Cass and Wren—19.

So the motion prevailed.

The Senate's bill, to be entitled an act for the relief of Peter Gallagher and the legal representatives of Archibald Fitzgerald and Thompson Robinson; read second time and passed to a third reading.

A message was received from the Senate, through their Secretary, Mr. Raymond, informing the House that the Senate had passed a bill to be entitled an act authorizing the Governor to employ counsel in the Supreme Court of the State, in cases where the present Attorney General has been employed, originating in the House; also, a bill prescribing the duties of the Comptroller in reference to certain claims against the State of Texas, originating in the Senate, and that the Senate had refused to concur in the amendments of the House to the bill to be entitled an act regulating the election of Judges of the Supreme Court; also, the amendment of the House to the resolution to adjourn *sine die* on Monday the second December.

A bill to be entitled an act to amend the third section of an act to amend the second and seventh sections of an act entitled an act to organize the Supreme Court of the State of Texas, approved November, 1850, from the Senate; read first time.

Mr. Mr. Dickson moved that the House recede from its amendment to the Senate's resolution to adjourn *sine die* on Monday the second December next.

Mr. Tarrant moved to lay Mr. Dickson's motion on the table; upon which the yeas and nays were called, and stood as follows:

Yeas—Messrs. Speaker, Bogart, Charlton, Clements, Cochran, Crump, Franklin, Lott, McKinney, Owen, Patrick, Reynolds, Russell, Shea, Smith of Shelby, Stapp, Stewart, Tarrant, Taylor of Harrison, Wigfall and Williams—21.

Nays—Messrs. Bryan, Burney, Dickson, Fields, Gillet, Harde-



man of Nacogdoches, Hendricks, Holland, Hunt, Johnson, Jowers, Lloyd, Polk, Runnels, Scott, Selman, Shaw, Speights, Sterne, Taylor of Cass and Wren—21.

There being a tie vote, the motion was lost.

On motion of Mr. Tarrant, the House adjourned until three o'clock, p. m.

3 O'CLOCK, P. M.

House met pursuant to adjournment—roll called—quorum present.

Mr. Clements introduced the following resolution :

*Resolved*, That the Chief Clerk of the House be instructed to arrange the bills and resolutions on the Speaker's table in their regular order under the rules of the House ; and that he prohibit any one from changing that order.

Mr. Dickson's motion to recede from the amendment of the House to the Senate's resolution to adjourn *sine die* on Monday the second December next, being under consideration when the House adjourned,

On motion, a call of the House was ordered, and the Serjeant-at-Arms dispatched for absent members.

The absent members appearing in the Hall, on motion, a further call was suspended.

On the question of receding from the amendment of the House, the yeas and nays were called, and stood as follows :

Yeas—Messrs. Burney, Dickson, Hardeman of Nacogdoches, Hendricks, Holland, Johnson, Jowers, Lloyd, Polk, Runnels, Selman, Shaw, Speights, Taylor of Cass and Wren—15.

Nays—Messrs. Speaker, Bogart, Bryan, Charlton, Clements, Cochran, Crump, Fields, Franklin, Gillet, Hunt, Lott, McKinney, Owen, Patrick, Reynolds, Russell, Shea, Smith of Shelby, Stapp, Sterne, Stewart, Tarrant and Williams—24.

So the House refused to recede from its amendment.

Mr. Dickson moved to raise a committee to wait on his Excellency, the Governor, and inform him that the two Houses had disagreed as to the time of adjournment. Lost.

A bill to be entitled an act to provide for the safe and profitable investment of the School Fund ; read third time. The yeas and nays being called on its final passage stood as follows :

Yeas—Messrs. Speaker, Bogart, Bryan, Clements, Cochran, Crump, Fields, Gillet, Hunt, Lloyd, McKinney, Owen, Reynolds, Russell, Selman, Shea, Smith of Shelby, Stapp, Sterne, Stewart, Tarrant, Taylor of Harrison, Wigfall and Williams—24.

Nays—Messrs. Burney, Charlton, Dickson, Franklin, Harde-



man of Nacogdoches, Hendricks, Holland, Johnson, Jowers, Lloyd, Patrick, Polk, Scott, Shaw, Speights, Taylor of Cass and Wren—18.

So the bill passed.

A Bill to be entitled an act for the relief of John McLennan, jr ; read second time and passed to a third reading.

Mr. Burney moved to suspend the rule in order that the bill might be read third time ; upon which the yeas and nays were called, and stood as follows :

Yeas—Messrs. Burney, Clements, Cochran, Crump, Lott, McKinney, Owen, Patrick, Runnels, Russell, Shaw, Shea, Smith of Shelby, Stapp, Taylor of Harrison, Wigfall, Williams and Wren—18.

Nays—Messrs. Speaker, Bogart, Bryan, Charlton, Dickson, Fields, Franklin, Gillet, Hardeman of Nacogdoches, Hendricks, Hunt, Johnson, Jowers, Lloyd, Polk, Reynolds, Scott, Selman, Smith of Red River, Speights, Sterne and Stewart—22.

So the House refused to suspend the rule.

On motion, Mr. Taylor of Cass was excused from attendance on the House during the remainder of the present session.

A Bill to be entitled an act supplementary to an act to secure the German Emigration Company the land to which they are entitled, with amendments from the committee on Private Land Claims, was taken up, and amendments adopted.

A message was received from the Senate, informing the House that the Senate had passed a bill for the relief of Mary Alexander, originating in the Senate.

A bill to be entitled an act to require the county clerk of Brazos county to admit to record the noncupative will of John H. Jones, deceased ; read second time and referred to the Judiciary committee.

The Senate's bill for the relief of John Beeman, John S. Beeman, and James J. Beeman ; read third time and passed.

A bill from the Senate for the relief of Lewis Munroe Mayes, (a minor) ; read third time and passed.

A bill to be entitled an act requiring the Commissioners appointed by an act entitled an act creating the county of Hunt, approved April 11, 1848, to deliver up certain documents therein mentioned ; read third time and passed.

Mr. Burney, chairman of the joint committee on Enrolled Bills, made the following report, which was accepted.

COMMITTEE ROOM, November 30, 1850.

Hon. C. G. KEENAN.

*Speaker of the House of Representatives :*

The Joint committee on Enrolled Bills have examined an act



for the relief of certain persons therein named; also, an act to require the Commissioner of the General Land Office to issue patents for lands therein named; also, an act for the relief of Peter Lopez and Henry Tierwester, and find the same correctly enrolled, and having been signed by the Speaker of the House of Representatives and President of the Senate, was this day transmitted to his Excellency, the Governor of the State, for his approval.

A bill to be entitled an act allowing to the widow of Wm. G. Cooke, the balance of pay due him as Commissioner to Santa Fe, and for services as acting Quarter-master General, in the Somervell campaign; read second time.

Mr. Bryan offered the following amendment, which was adopted:

Strike out all after the words "sum shall," and insert at the end of the first section, "as similar claims have been audited."

Mr. Jowers proposed the following amendment:

Insert, "provided upon settlement of his accounts with the Comptroller there shall be found any thing due him."

The yeas and nays being called on its engrossment, stood as follows:

Yeas—Messrs. Speaker, Bogart, Clements, Crump, Franklin, Gillet, Hendricks, Lott, McKinney, Owen, Patrick, Russell, Shea, Smith of Shelby, Stapp, Stewart, Tarrant, Taylor of Harrison, Wigfall and Williams—20.

Nays—Messrs. Bryan, Burney, Charlton, Cochran, Dickson, Fields, Hardeman of Nacogdoches, Hunt, Jowers, Lloyd, Polk, Reynolds, Scott, Selman, Shaw, Speights and Wren—17.

So the bill was ordered to be engrossed.

A message was received from the Senate, through their Secretary, Mr. Raymond, informing the House that the Senate had passed a bill to be entitled an act for the relief of Stokely D. Shoate, originating in the House; and that the Senate concurred in the amendment of the House to the bill to be entitled an act, supplementary to an act to secure to the German Emigration Company the lands to which they are entitled; and that the Senate refused to reconsider their vote, refusing to concur in the amendment of the House to the Senate's resolution to adjourn *sine die* on Monday, the second December next.

A bill to be entitled an act for the relief of the heirs of Luke J. Gillespie, deceased; read second time and ordered to be engrossed.

A message was received from the Senate, through their Secretary, Mr. Raymond, informing the House that the Senate had



passed a bill, originating in the House, to be entitled an act for the safe and profitable investment of the School Fund.

On motion of Mr. Hardeman of Nacogdoches, the House adjourned until half past seven o'clock, p. m.

HALF-PAST 7 O'CLOCK, P. M.

House met pursuant to adjournment—roll called—quorum present.

On motion of Mr. Fields, the House reconsidered the vote refusing to recede from its amendment to the Senate's resolution to adjourn *sine die*.

Mr. Fields then moved that the House recede from its amendment, upon which the yeas and nays were called, and stood as follows:

Yeas: Messrs. Bogart, Burney, Clements, Cochran, Dickson, Fields, Hardeman of Nacogdoches, Hendricks, Holland, Johnson, Lloyd, Lott, Polk, Runnels, Selman, Shaw, Smith of Shelby, Speights and Wren—19.

Nays: Messrs. Speaker, Bryan, Charlton, Crump, Franklin, Gillet, Hunt, Jowers, McKinney, Owen, Patrick, Reynolds, Scott, Shea, Stapp, Sterne, Stewart, Tarrant, Taylor of Harrison, Wigfall and Williams—21.

So the House refused to recede.

Mr. Franklin moved a suspension of the rule, to take up out of its order, the Senate's bill to be entitled an act to repeal the third section of an act to amend the second and seventh sections of an act, entitled an act to organize the Supreme Court of the State of Texas, approved November, 1850, upon which the yeas and nays were called, and stood as follows:

Yeas: Messrs. Speaker, Bogart, Bryan, Burney, Cochran, Crump, Dickson, Fields, Franklin, Hardeman of Nacogdoches, Hendricks, Holland, Hunt, Johnson, Jowers, Lloyd, Lott, McKinney, Patrick, Runnels, Scott, Selman, Shaw, Smith of Shelby, Speights, Stapp, Sterne, Stewart, Tarrant, Taylor of Harrison, Wigfall and Williams—32.

Nays: Messrs. Charlton, Clements, Owen, Polk and Shea—5.

So the rule was suspended, and bill taken up.

Mr. Franklin proposed a substitute for the bill, which was adopted; and bill passed to third reading.

On motion of Mr. Franklin, rule suspended, bill read third time and passed.

Senate's bill for the relief of John Edmonds; read first time.

Senate's bill for the relief of John E. Linn; read first time.



Senate's bill to be entitled an act to establish Public Schools in the county of Comal ; read first time.

Senate's bill to be entitled an act making an appropriation for certain purposes therein named ; read first time ; rule suspended, bill read second time.

Mr. Clements proposed the following amendments: amend the caption by inserting after "printing," the words, and "copying journals."

Amend 1st section, by inserting after the word, "for" in seventh line, the words "copying and printing," and strike out in same line the words, "the printing;" adopted.

On motion of Mr. Williams, the bill was referred to the Finance Committee.

Mr. Stapp, from the Select committee, to whom was referred the bill to be entitled an act to provide for the final adjustment of Public Debt, etc., made the following report :

COMMITTEE ROOM, November 30, 1850.

Hon. C. G. KEENAN,

*Speaker of the House of Representatives :*

The special committee, to whom was referred the bill to be entitled an act to provide for the final adjustment of the debt of the late Republic of Texas, together with amendments and substitute, have duly considered the same, and a majority have instructed me to report the following bill, and recommend its passage:

A bill to be entitled an act to provide for the final adjustment of the Public Debt of the late Republic of Texas.

Mr. Stapp moved a suspension of the rule, in order that the report and substitute might be taken up and acted upon, upon which the yeas and nays were called, and stood as follows :

Yeas—Messrs. Speaker, Bogart, Bryan, Crump, Fields, Gillet, Hendricks, Hunt, Johnson, Lloyd, Lott, Owen, Russell, Shea, Stapp, Sterne, Stewart, Taylor of Harrison, Wigfall, Williams and Wren—21.

Nays—Messrs. Burney, Charlton, Clements, Cochran, Dickson, Franklin, Hardeman of Nacogdoches, Holland, Jowers, McKinney, Patrick, Polk, Reynolds, Runnels, Scott, Selman, Shaw, Smith of Shelby, Speights and Tarrant—20.

It requiring a vote of two-thirds, the House refused to suspend the rule.

Mr. Franklin gave notice to the House that he should, on behalf of the minority of the committee, present, at the proper time, a counter report.

Senate's bill to incorporate the town of Dallas in the county of Dallas ; read first time.



Senate's bill to be entitled an act to authorize the county court of Houston county, to levy a special tax for county purposes; read first time.

Mr. Scott moved to take up the bill to be entitled an act better to regulate the election of Supreme Court Judges, upon which the yeas and nays were called, and stood as follows:

Yeas—Messrs. Speaker, Bogart, Bryan, Clements, Dickson, Fields, Franklin, Gillet, Hardeman of Nacogdoches, Holland, Hunt, Jowers, Lloyd, Lott, McKinney, Owen, Russell, Scott, Selman, Shaw, Speights, Stapp, Sterne, Stewart, Wigfall, Williams and Wren—27.

Nays—Messrs. Burney, Charlton, Cochran, Hendricks, Patrick, Polk, Runnels and Tarrant—8.

So the rule was suspended, and bill taken up.

Mr. Bryan moved that the House recede from its amendment to the bill; upon which the yeas and nays were called, and stood as follows:

Yeas—Messrs. Speaker, Bryan, Burney, Clements, Crump, Fields, Hunt and McKinney—9.

Nays—Messrs. Bogart, Charlton, Cochran, Dickson, Franklin, Gillet, Hardeman of Nacogdoches, Hendricks, Holland, Johnson, Jowers, Lloyd, Lott, Owen, Patrick, Polk, Runnels, Russell, Scott, Selman, Shaw, Shea, Smith of Shelby, Stapp, Sterne, Stewart, Tarrant, Taylor of Harrison, Wigfall, Williams and Wren—31.

So the House refused to recede.

Mr. Hendricks moved the appointment of a committee of conference, and request the appointment of a like committee on the part of the Senate, to take under consideration said bill; carried.

The Speaker appointed Messrs. Hendricks, Wigfall and Franklin said committee.

On motion of Mr. Bryan, a committee, consisting of Messrs. Bryan, Burney and Tarrant, was appointed, and the Senate requested to appoint a like committee, to confer together upon the resolution to adjourn *sine die*.

Senate's bill to be entitled an act to repeal an act, to reserve one of the public buildings in Austin for the use of the Supreme Court; read first time.

Senate's bill to be entitled an act for the relief of William A. Burns; read second time, and passed to a third reading.

A joint resolution for the relief of John C. Walling; read third time and passed.

A bill to be entitled an act to authorize the Commissioner of the General Land Office to issue patents to the heirs of Simon



Gillam, and the heirs of John Smith, deceased ; read third time and passed.

A bill to be entitled an act to incorporate the Trinity and Galveston Navigation Company ; read third time and passed by a constitutional majority—yeas 30, nay 1.

A bill to be entitled an act to incorporate the Waco Male and Female Academy, in the county of McLennan ; read third time and passed by a constitutional majority—yeas 33, nay 1.

A bill to be entitled an act to incorporate the town of Shelbyville, in the county of Shelby—Senate's bill—read third time and passed.

Senate's bill to locate the seat of justice of Kaufman county ; read third time and passed.

Mr. Jowers, chairman of the committee on Engrossed Bills, made the following report, which was accepted :

COMMITTEE ROOM, November 30, 1850.

To Hon. C. G. KEENAN.

*Speaker of the House of Representatives :*

The committee on Engrossed Bills have examined an act for the relief of the heirs of Samuel T. Sheffield, and find the same correctly engrossed.

Senate's joint resolution, refunding to Major W. S. Henry, the fine imposed upon him by the military of the 9th department ; read third time and passed.

A bill to be entitled an act requiring the judges of the District Courts to alternate, with substitute from the Judiciary committee—substitute adopted.

Mr. Cochran proposed the following amendment :

Insert at the end of first section, " provided, however, that the judge of the 9th judicial district be exempt from the provisions of this bill."

Mr. Stapp moved to amend the amendment of Mr. Cochran, by inserting "and 10th."

Mr. Bogart in the Chair.

Mr. Hardeman of Nacogdoches moved an indefinite postponement of the bill.

Mr. Stapp moved the House adjourn until nine o'clock to-morrow morning ; lost.

Mr. Sterne moved the House adjourn until half past nine o'clock to-morrow morning ; lost.

Mr. Bryan moved to lay the bill on the table ; upon which the yeas and nays were called, and stood as follows :

Yeas—Messrs. Speaker, Bryan, Charlton, Cochran, Crump, Dickson, Gillet, Hardeman of Nacogdoches, Holland, Jowers,



Lloyd, McKinney, Polk, Reynolds, Runnels, Russell, Scott, Selman, Shea, Speights, Stapp, Stewart and Wren—22.

Nays—Messrs. Bogart, Burney, Clements, Fields, Franklin, Hendricks, Johnson, Owen, Patrick, Tarrant, Wigfall and Williams—12.

Mr. Scott moved the House adjourn until nine o'clock to-morrow morning; lost.

A bill to be entitled an act for the relief of the heirs of Samuel T. Sheffield; read third time, and laid on the table.

A joint resolution, from the Senate, for the relief of Robert Shaw, assignee of William Morrow; read second time and passed to a third reading.

A motion was made to adjourn, which was lost.

On motion of Mr. Owen, the House adjourned until nine o'clock Monday morning.

AUSTIN, December 2, 1850.

House met pursuant to adjournment—roll called—quorum present.

Absentees—Messrs. Clements, Lott, Stewart and Taylor of Harrison.

Journal of Saturday read and adopted.

Mr. McKinney submitted the following memorial, which was read and ordered to be spread upon the journal:

*To the Honorable,*

*The Legislature of the State of Texas.*

It is a fact generally known to the people of Texas, that your memorialist entered into a contract with the government of the late Republic, on the thirteenth day of November, 1838, for the construction and equipment of vessels intended for its naval service. James Schott and E. Dana Whitney of the city of Philadelphia, although not named in the contract, joined at the time with your memorialist, in its execution. These vessels consisted of one ship, two brigs, and three schooners. They were constructed in accordance with very minute and specific directions, prescribed by the terms of the agreement, fully armed and fur-